

Quid Navi



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D'ethnie et d'identité québécoise

Thanh-Tram Dang, BCL II

toute nuance.

S'il fallait choisir un moment dans ma vie qui a été des plus révélateurs, je me référerais sans doute à un incident qui s'est produit tout récemment, en plein remous référendaires. C'était un après-midi hargneux de par son humeur, dans un wagon de métro dont on dit que la banalité en fait un poste d'observation privilégié d'interactions humaines et un trésor d'analyse sociologique.

Une dame s'adressait à un homme non loin de moi pour se faire indiquer des directions, question de se retrouver. Son interlocuteur s'exprimant peu en français, elle se tourne soudainement vers moi, me fixe durement, le regard accusateur, la moue vengeresse, et me vomit des imbécillités dignes d'un abrutissement profond:

- Coudonc, y a-ti quelqu'un icitte à Montréal qui parle français? On peut même plus se faire parler dans sa langue astheure! Vous allez voir, m'a faire une plainte au gouvernement. Non mais c'est-ti écoeurant!

Quelle subtilité-éclair du langage, du jugement et de la pensée. Étaient-ce mes cheveux noirs qui l'ont fait se précipiter pour vivement me catégoriser comme une immigrante-ne-sachant-sûrement-pas-parler-français sans même s'adresser à moi, personnellement? Mieux encore: peut-être mon teint et mes yeux ne brillaient-ils pas de cet éclat assez "de souche" qu'il faille me dicter un moule culturel pour mieux ostraciser?

Oui, probablement.

Mon coeur a bondi furieusement d'indignation mal contenue. C'est que rarement ai-je été aussi humiliée, blessée par des propos, pourtant dépourvus de

même, pour la première fois du haut de mes vingt ans, j'ai soudainement eu si mal d'être Québécoise.

Quelque chose s'était brisé en moi.

Quand j'y repense, cet épisode aurait bien pu faire de moi quelqu'un d'obstinément réfractaire au nationalisme véhiculé par le projet souverainiste, de par une perception d'exclusion *prima facie*; j'aurais bien pu, par faiblesse et par désir de fuite devant cette démonstration d'hostilité, me percevoir comme une victime. Et surtout en rester là. Mais ma réaction a été de tout autre nature. Des interrogations, il en a découlé beaucoup sur mon identité culturelle au sein d'une communauté francophone: dans quelle mesure je désirais m'y insérer, jusqu'où je pouvais m'identifier à cette culture. J'ai appris à canaliser, je crois, un événement potentiellement dommageable en un outil de raffermissement et de consolidation d'une appartenance québécoise jusqu'alors solide, mais non infaillible.

C'était un vertige saisissant et pittoresque, mais momentané. Un vacillement tectonique dont l'ampleur a grandement contribué à me ressaisir et à continuer de plus belle dans la voie d'appartenance que j'avais choisie.

Je viens d'une digne contrée d'Asie, nommée Viêt-Nam, forgée dans la tragédie de ses guerres, ses déceptions et son nationalisme, dans un demi-équilibre d'Orient et d'Occident. Là-bas gît encore une partie de moi-même, une continuité de ce qui me définit, et l'appel est encore fort aujourd'hui. Mais la distance et le temps ont fait en sorte que je me trouve un deuxième port d'attache, celui-ci en terre québécoise. Conséquemment, mon

cheminement a été parsemé de fragments identitaires et culturels non résolus (cultures vietnamienne, francophone et anglophone), ainsi que d'une quête de réconciliation entre ces cultures, qui toutes à la fois me sollicitent, me déchirent et me fascinent. C'est là justement que réside toute la singularité de l'effervescence qui m'inspire aujourd'hui.

Toutefois, j'ai appris à apprivoiser et à aimer la langue française d'Amérique avec toutes ses subtilités et ses caprices, au point de me faire francophile. Et c'est avec cette attitude d'ouverture que j'ai compris bien des choses. J'ai compris que l'extrême fragilité de cette langue, bien qu'appelée à évoluer, ne nous permettait ni abandon ni relâchement des politiques en matière linguistique; bien au contraire, elle nous commandait rigueur, renforcement et regain. J'ai compris que le caractère distinct du Québec ne se limitait pas à la langue et aux frontières territoriales; que

(Continued on page 6)

In This Issue Dans ce numéro

Editorial	3
Voting No Not A Problem	3
In a Diplomatic Tone	4
Belle ne s'est as enfuie	5
Pantoufflicating	7
In Defence of Ethnics	8
Media: Friend or Foe?	9
JodyTalk	10
Racisme	11
Control over Immigration	12

Announcements / Annonces

Notes from the Office of Undergraduate Studies

Budget cuts hurt: we can no longer afford to hire as many invigilators as in the past. As a consequence, some of you will find yourselves invigilated by Faculty members. A regular invigilator will, however, be present at the beginning of each examination to check you into the room and will remain in the faculty for the duration of the examination to take care of problems which may occur. Needless to say instructors are sensitive to, and will respect the anonymity rule. I want to reassure all students that anonymity will be protected.

Examination Information is starting to appear on Board No.3 outside Room 101. Check it regularly for up-to-date information on your examinations.

Should you feel in need of an

Extention for an assignment or for a paper, you are required to submit your request, in writing, to Daniel Jutras, Associate Dean (Academic).

Assignments handed in late, without an approved extension, are governed by Faculty Regulation 27 which reads in part:

Late assignments. In the absence of a medical certificate or analogous circumstances, any required paper or essay submitted after its due date shall be assessed a penalty of one grading unit per day late.

If you are unable to submit your work to the OUS before 5:00 p.m. the Library will accept it. They will stamp the time submitted and initial it for you.

* * *

Recruiting

Paul Weiss is a large international law firm with its main office in New York. They are interested in interviewing students on campus on Friday, November

17th for both 1996 summer positions and full time positions.

Please submit a resume and transcript to Barbara Kerr (Room 106), if you are interested, by NOVEMBER 13, 1995. The contact at Paul Weiss is Ms. Mindy Peck.

Information on the firm will be made available by the end of the week.

* * *

Calendar of Events

An Information Session on the Human Rights Internships Programme at McGill will take place on this Wednesday, Nov. 15, at 12h30 in the Common Room. Seront presents des étudiants de la Faculté ayant effectué durant l'été 1995 des stage en Bolivie, au Burkina Faso, en Colombie, en Guyane, au Sri Lanka et à Washington D.C., de meme que le Professeur René Provost, coordonnateur des stages en droits de la personne.

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Editorial

A Soldier & Peacemaker

Emmanuel Castiel, Editor-in-Chief

Even though I'm a Montrealer, I haven't been very often to Place du Canada. Recently, I went there twice in a span of eight days. The first time was on October 27, a day that I'm sure will remain an important date in Canadian history. People had assembled to show their love for our country. We heard speeches, we cheered and sang O Canada. I left Place du Canada feeling uplifted and confident that Canada would win on October 30.

The second time was on November 4, a day that will remain a very important date in Israeli history. I came to Place du Canada not to cheer but to mourn. I came to mourn the death of Israel's Prime Minister Itzhak Rabin who had been assassinated just hours earlier. This was the first of many vigils organized by the Jewish community of Montrealer, including one at McGill last Monday. We lit candles and sang songs and Hatikvah. I left Place du Canada still in shock but mostly sad and discouraged.

It's one thing to die waging war. It's another thing to die while striving for peace.

Rabin was born in what was the British mandate of Palestine before Israel's independence. He first fought to bring to life the state of Israel. He then became a soldier for his country. And a very great soldier he became. He was the Chief of Staff during the Six Day War of 1967 where Israel took over Eastern Jerusalem and what is now called the Occupied Territories. He was there when the Wailing Wall, Judaism's holiest site, was open to all the world. He was a hero. He later became a leader. He was Prime Minister first in the 1970s and again since 1992. After all this fighting and dying, he understood that for Israel to stay strong, it wasn't going to do it by war but by peace.

I heard him speak once. He came to Montrealer shortly after the signing of the now famous Oslo Agreement on September 13, 1993. He explained in his deep, heavily accented voice, how hard it was to shake the hand of Yasser Arafat, a man who had the blood of many Israelis on his hands. But as he said it himself "Enough of blood and tears. Enough!"

Some Israelis believe that by shaking Arafat's hand and by giving land for peace, Rabin had also Israeli blood on his hands. They can't accept that Rabin is, according to them, weakening Israel. But they do understand that Israel is a democracy, the only one in the Middle-East. They do understand that if you don't agree with the government's policy you vote them out in the next election. One law student with a gun didn't understand that.

The peace process however, is not just a government policy like cutting spending. It's an extremely difficult, stomach-churning decision. It's about giving up territory you've fought for and making peace with countries you've fought against. That's why emotions are running so high in Israel and that's why the country is so divided.

Shimon Peres, the architect of the peace process and the man that will replace Rabin as Prime Minister, recently said: "I agree that war unites more than peace. So shall we go to war?" The answer to that rhetorical question is and must always be "No".

I don't live in Israel and I have visited the country only twice. But I do know that Israelis in general prefer peace than war and don't want to send their children to the army. And I do understand that it's hard to trust a lifelong enemy. I just hope, after all the wars and ongoing terrorism that Israel has survived through, that peace won't be its undoing.

Voting NO Is Not A Problem

Daniel Westreich, BCL II

Following Jacques Parizeau's infamous referendum-night voting analysis, many embarrassed separatists were quick to dissociate themselves from our premier. They declared themselves shocked, revolted, upset; they denounced his words as intolerant, disrespectful, and all the rest of it.

Unfortunately, too many continued with an ominous "but..." But, they said, at least he revealed a problem that exists in Quebec society.

He certainly did. But the problem is not what these separatist apologists suggest it is. Three out of five French Quebecers voted to destroy Canada. Other Quebecers failed to join them in their treasonous plan. For the separatists, this points to a problem: not enough "ethnics" are willing to abandon Canada.

In last week's Quid, Danhoé Reddy-Girard put a particular spin on this "problem": many ethnic voters apparently voted No without "legitimate" reasons. Since when is voting to save your country illegitimate? Elsewhere, acting in defence of your country is not only legitimate, it is desirable, even expected. In Quebec, it points to a "problem."

For some separatists, allegiance to Canada by all Canadians other than three out of five French Quebecers leads to a certain frustration. As Reddy-Girard continued:

«l'objet légitime de la frustration de plusieurs Québécois, c'est d'avoir perçu que plusieurs... des immigrants se croyaient, pour la seule considération qu'ils appartenaient au groupe des immigrants ou allophones, obligés de voter pour le NON.»

Interesting. I understand the frustration. I understand the frustration of someone who extends his hand and says "come join us in fulfilling our dream, come share with us in building an open, tolerant society, a country unique in the world," only to be rebuffed. I understand the frustration because I feel it when my outstretched hand is ignored or slapped, not shaken, by three out of five French Quebecers.

There are many real problems in the relationship between majority and minority in Quebec. Racism, intolerance, glass ceilings, mutual suspicion, relations with police: these are all problems. Voting No is not a problem. Voting against the destruction of my country is not a problem.

The sad fact, the "problem", if you will, is that over 10% of Canada's population voted against Canada. If Canada has given these Yes voters reason to reject it, then that is a problem that must be addressed.

But the separatists of French Quebec must remember that they are the only ones rejecting Canada. They must remember that no matter how much they plead or threaten, no matter how open or closed they make Quebec society, no matter how "Québécois" the "ethnics" become, non-French Quebecers will not betray Canada unless Canada gives them a reason to.

So far it has not.

Parizeau in a Diplomatic Tone

Steve Kelly, LLBII

In light of the revelations of Mr. Reddy-Girard in last week's Quid Novi, I feel that it is necessary to further clarify what he referred to as a "débrouillage" of the separatist vision (or at least his), in relation to ethnic communities in Quebec.

After I had read the first few lines of his text, I was happy to hear that he was "revolted", as I believe the majority of citizens were, by the exclusionary statement of Mr Parizeau on referendum night. However, as I read on, I could not help but feel that this "revolted" separatist was in fact defending the statement and the underlying attitude of Mr Parizeau, albeit in a more diplomatic tone. As I am certain that I am not the only reader that felt this way, I feel a few points should be brought to Mr. Reddy-Girard's attention.

1. What is a democracy for you?

According to your vision, it would seem that within the democracy as we know it in Canada and Quebec today there is a problematic situation: without having taken into account what you define as "legitimate considerations" some "immigrants" went to the polling station and actually voted NO!!! It is in reaction to this first revelation that I must ask: What do you see as a democracy?

It would appear that in your democracy every voting person, or at least every immigrant voting NO, should have to justify their vote to ensure they have properly thought about it, and most importantly, that they realize they are not obliged to vote NO because they live in Canada.

Unfortunately, your views are not quite supported by basic

democratic principles. The central principle is, that all citizens in such a society are considered to have one equal and legitimate vote under the law. It is for no one to question what the motive of each voter may be, and in fact the freedom from this type of questioning is what allows one to vote in secrecy and honesty with no fear of coercion of any kind. In other words, it is quite worrying that you feel in your "legitimate frustration" that you have the right to decide what a "legitimate consideration" of a voter should be.

In addition, it is quite interesting to note in your version of democracy that there are no questions raised regarding anyone who voted YES on October 30th. What about someone who goes into a voting booth and marks "yes" because it's above "no" on the ballot? What about someone who bases her vote on the fact that the "yes" signs were nicer than the "no"? What about someone who thinks Lucien dresses better than Daniel? Are these "legitimate considerations"? Under your line of argument, I guess that quality could be determined by an unnamed individual who is more enlightened than the rest of us (maybe Plato). Yet what is important to retain is that if you begin to question one citizen's voting judgement you must be ready to question all (including your own). Democracy cannot be tailored to what your particular needs seem to be, and as soon as you begin to question the equality and legitimacy of a person's vote you are on a slippery slope towards an exclusionary society which is neither a democratic one, nor one which I want to be a part of.

2. Immigration as a solution?

It would seem in your vision

that the solution to this "problematic situation" would be to give the province of Quebec control over immigration, the logic being that if this undetermined number of immigrants recognized Quebec as the province which brought them here, their "illegitimate considerations" in recognizing Canada would be eliminated. Of course this new recognition of Quebec would now be magically transformed into a "legitimate consideration" when voting YES in the next referendum.

Nevertheless, I must inform you with great regret that under a present administrative agreement, the province of Quebec has "de jure" control over its own immigration policy. Thus it is even possible to assert, that so called "immigrants" may have had the knowledge that this province was largely responsible for their admission to Canada, and still voted NO. With all due respect, perhaps before you demand a power you should make sure you don't already have it? However, this may force you to accept that Canadian federalism actually does work in some instances.

In addition, it may be helpful to note that when an immigrant does arrive on Quebec soil they are not simply becoming a resident on Quebec (as you seem to suggest) but also a resident of Canada. To state that only the specific "local society" of Quebec should "deal" with these new members of our society is in my view quite restrictive. To my knowledge, under section 6(2)(a) of the Charter, every citizen or permanent resident of Canada has the right "to move and take up residence in any province". In addition, the citizenship they aspire to obtain is Canadian, the passport which they will potentially use is Canadian,

(Continued on page 5)

(Continued from page 4)

and the currency which they will use every day is Canadian. In consequence, even though I strongly agree with the recognition of Quebec as a distinct society and their control over immigration, one cannot simply dismiss the Canadian link. In fact, during the recent campaign, the specifics of the current Canadian link seemed quite attractive to the YES side.

3. Some suggestions

In closing, there is likely no doubt from anyone who knows me or who has now read this article that I am a proud Canadian. I have lived half of my life in Quebec and half in Ontario, half in french and half in english, and I suppose that makes me dysfunctional

according to some. Maybe it is futile and terribly destructive to artificially maintain me. However, I also feel it is important to say that I respect and accept the view of those who support the sovereignty movement. What I have great difficulty with, is someone who wishes to doctor the principles of democracy to achieve separation. In raising questions on the legitimacy of certain votes, Mr. Reddy-Girard has questioned the very process which allows the Quebec people to peacefully choose their own destiny; his alternative is an essentially exclusionary society.

There is no doubt that during the referendum campaign, the sovereignists were able to manipulate

the question, the debate, and likely even a very large number of spoiled ballots. Nevertheless, the result of this referendum has been accepted as legitimate by virtually all citizens of Quebec. Yet for Mr. Reddy-Girard this was not enough. In the event of another referendum, perhaps the undisclosed number of immigrants who may be subject to his "illegitimate considerations" can take a test. They will be asked: Who brought them to this country? and What they will vote? If they answer Quebec and YES, then congratulations! they are legitimate. Mr. Reddy-Girard would likely have his sovereign country. The only sad fact is, he will no longer have a democracy.

La belle ne s'est pas enfuie

Marie-Pierre Olivier, BCL III

En lisant le *Quid Novi* de la semaine dernière, j'ai constaté que l'on se concentrait surtout sur le malheureux discours de Jacques Parizeau tout en oubliant le vrai lendemain du référendum : le Québec demeure au Canada. Voici donc mes réflexions sur ce résultat uniquement, puisque les articles publiés dans le dernier *Quid* reflétaient bien ma colère et ma déception face aux paroles de mon premier ministre.

Certains ont dit que lorsqu'on aimait quelqu'un, il n'était pas nécessaire de le lui répéter tous les jours. Bien sûr. Une orgie de baisers et de «Je t'aime» alors que l'autre a le pied dans la porte et les valises à la main devrait suffire. Une démonstration amoureuse mi-sincère, mi-hypocrite, mi-inconsciente, mi-paniquée, à laquelle il faudrait applaudir et dire «merci».

Après avoir dormi pendant des années en la tenant pour acquise, l'autre prend tout à coup conscience qu'elle n'est peut-être pas

heureuse, qu'elle a besoin qu'on la respecte un peu plus et qu'on apprécie sa vraie valeur. On tente alors de la mater, de lui faire entendre raison comme à une adolescente rebelle en lui disant d'arrêter de se croire plus grande qu'elle ne l'est vraiment. Qu'est-ce que c'est ces histoires ! Rentre donc à la maison. On lui affirme qu'elle est trop faible pour fonctionner toute seule et que sans la protection de l'autre, elle ne sera plus rien.

Soudain, l'autre voit qu'elle ne veut pas s'arrêter, qu'il ne s'agit pas d'un bref moment de folie. Alors il s'inquiète un peu. Bien peu subtilement, il lui chante la sérénade, crie à qui veut l'entendre qu'il l'aime et qu'il l'a toujours aimée. Le quitter ? Mais on est bien comme ça, qu'est-ce que j'ai fait ? L'autre ne comprend pas qu'elle veut que les choses changent. Elle songe qu'elle va partir, c'est vrai cette fois.

Ce matin-là, l'autre s'est réveillé heureux : elle est à ses côtés. Il avait raison, elle est sagement rentrée, sa petite crise est passée. Elle n'a pas tout à fait la tête basse,

elle jure que la prochaine fois sera la bonne. L'autre ne s'inquiète pas. Elle est toujours revenue. C'est donc qu'elle l'aime, après tout. Plus besoin de sortir dans la rue et de se traîner à ses genoux : elle est là.

Canadiens qui chantiez dans la rue ce vendredi, j'aimerais que vous reveniez nous déclarer votre amour. Nous sommes revenus, pas tous de gaieté de cœur et j'espère que vous comprendrez que lorsqu'un couple est à la dérive, un «je t'aime» de temps en temps ne le sauvera pas. J'aimerais pouvoir croire que cette tendresse manifestée avec tant d'éclat se reflètera dans d'éventuelles négociations constitutionnelles...

Allez, vous pouvez rire de cet espoir. Je suis d'une naïveté infinie.

(Continued from page 1)

cette spécificité, linguistique, historique et culturelle se traduisait par une manière d'être qui n'a pas son pareil ailleurs, bien au-delà des simples caractéristiques globales qu'on pourrait attribuer à une communauté, et qui, par son unicité, rejaillit directement sur la qualité de vie des Québécois. J'ai compris que c'était une aberration que de considérer que le Québec marchait du même pas que les autres provinces alors qu'il y avait des différences substantielles que l'on ne pouvait passer sous silence; que le rapatriement unilatéral de 1982 et l'enchâssement de la Charte à la Constitution soumettaient le Québec à une autorité uniformisante sans son consentement et qui, bien que promouvant la tolérance et le respect des droits individuels, mettait un frein significatif aux outils législatifs du Québec pour asseoir certains droits collectifs fondamentaux; que la démonstration de Meech était on ne peut plus éloquente de cette incompréhension.

Mais surtout, j'ai compris que le véritable défi de l'évolution de la société québécoise, c'était non seulement d'intégrer le pluralisme et la diversité ethno-culturelle au nationalisme québécois, mais

de les greffer dans le nationalisme québécois. Avec absolument tout ce qu'il comporte de différences et d'affinités, de craintes et d'aspirations; et ayant une spécificité francophone comme dénominateur commun, comme facteur de solidarité collective et de cohésion.

Parce qu'il est trop facile de verser dans un nationalisme qui s'alimente d'excès et d'exclusion, celui qui fait effrontément régresser en s'exacerbant sur son tribalisme érigé en principe. Parce qu'il est trop aisé de diriger un blâme contre une catégorie de citoyens ayant en toute légitimité exercé un droit civique fondamental - le vote- et ayant exprimé clairement une dissidence. La polarisation des votes est un fait éloquent qui ne doit pas être tabou; tenter de souiller ce droit de son intégrité démocratique et le marginaliser par sa non-conformité est un acte lourd de sens aux relents ultranationalistes qui répugne et dégoûte, et qui rappelle à la conscience collective que certaines sociétés démocratiques portent en elles le germe de leur propre déchéance. Et il y a de ces brillants messieurs qui, après trois doctorats en main et deux voyages autour du monde, ne l'ont pas encore compris.

Je suis Québécoise; je l'ai été de façon latente toutes ces années sans réellement m'interroger sur les ramifications de cet état de fait. Aujourd'hui je refuse obstinément de me faire martyr dans cette province; j'ai la ferme intention de prendre toute la place qui me revient dans cette société québécoise au tournant de sa modernité, grandir avec elle, définir sa pluralité et son ouverture dans un esprit non équivoque de tolérance à la différence, du respect sacré de la démocratie et de la civilité. Je n'ai pas peur de l'intégration parce que c'est elle qui ne me fait que plus plénière dans la définition de mon identité culturelle et me permet, sans crainte aucune, de pondérer et d'aborder le nationalisme québécois sous un autre angle, de façon plus éclairée.

Je ne peux que souhaiter que ce nationalisme soit brandi avec une fabuleuse verve, et qu'il s'anime d'une fécondité culturelle et identitaire, avec tout ce que cela comporte de courage, de grandeur, d'exaltation et de labeurs. Curieusement, je ne sens plus le besoin de justifier mon appartenance identitaire, pourtant morcelée, ni l'attachement viscéral que j'éprouve envers le Québec.

Je l'affirme.

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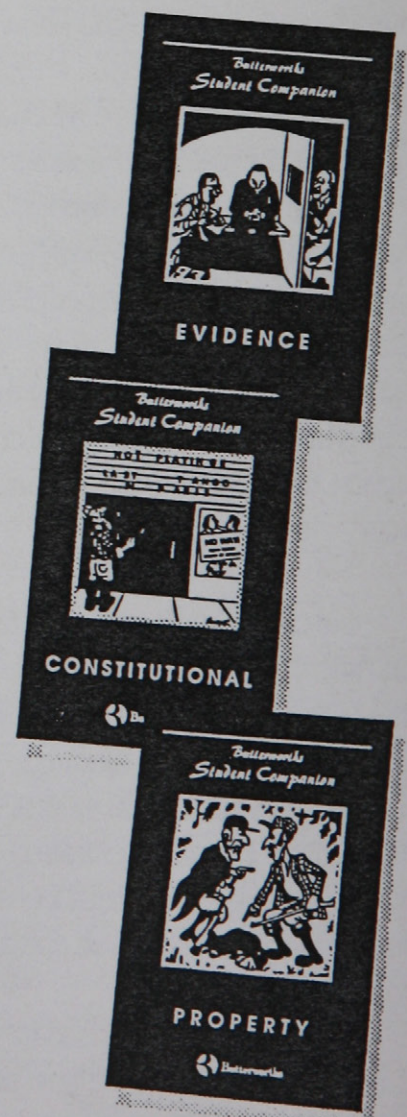
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Pantouflicating

Don McGowan, LLB III

First, the rant.

Can you believe that I have nothing to complain about this week? Well, that's a lie. I just wanted to see if you could believe it. Ha ha.

For those of us who are already trying to get out of this Snowburg and head to warmer climes, it's time for those Vancouver applications to be sent. For some reason, Vancouver firms insist that you send all your stuff a year and a half in advance. At least this gives you a long time to wait.

Last year, the President of the Canadian Bar Association came to speak at McGill. About half of the questions he received were from people whining about hireback rates and low payscales and long hours. Like law has some monopoly on bad employment ratios. To liven things up, I told him that, just like Medicare, we should nationalise the Bar and have a Judicare system, so that the rich can't just buy themselves the best lawyers and leave normal people to be treated like second-class citizens.

He got so nervous that he just said, "I disagree strongly with everything you just said." Then he left the room and never came back.

So I kind of wonder why I'm bothering to get all that envelope glue on my tongue, considering that one crack like that will kill your chances at ever being hired by a big firm for your articles.

And there's the funny part. Because if I can't get hired for articles, then no matter if I was the top of my class (and don't worry, Dave and Hilary, I'm nowhere near), I can't become an attorney.

But what I'm wondering is: why the requirement to article exists.

Some say that we article because it's an apprenticeship, to make sure we learn our lawyering right. To that, I have two responses. The first is just a cheap shot, but I can't resist (like you're

surprised?): if lawyering is spending 60 hours a week figuring out how some multinational corporation can hide all its profits from the government, then maybe I've got a lot to learn. Like why that's not illegal.

The second whine I have is a little more in-depth. If I needed a good lawyer, I'd much rather take a Texas plaintiffs' lawyer over any Canadian any day. Those guys go for the throat. I remember from NCP something about "lawyers" and "ethics" going together in the same sentence. But if my back was to the wall, I wouldn't want a lawyer who plays nice with the other kids. I'd want one who would win for me.

And you'll never learn that at McCarthy.

Of course, there's the other possible reason why we have to article. Because the lawyers who went before us did, and now it's their turn to make money off our backs.

Thanks. I guess that's why the Americans have the Fourteenth Amendment.

Now, the films

Because you don't really read the stuff up top. I know.

Fair Game

I only saw one movie this week, because nothing could compare to the prospect of 20 feet of Cindy.

"If you want to change your t-shirt," says Billy Baldwin, "Now's the time." And, *surprisingly enough*, she does.

But you know, this isn't the worst film I've ever seen. Not by a long shot. It will take a lot to dislodge something so simultaneously boring and awful as *Never Talk to Strangers*.

In fact, I dare say something heretical. *Fair Game* is no worse than any other movie just like it. It was no worse than *The Net*. It was better than *Hackers*.

No, not just because Cindy takes

off her shirt a lot. After all, Billy shows his butt a couple of times too, so it's got something for the whole family.

I can't slam this movie, because I haven't laughed so hard since *Ace Ventura*.

There was a rumor floating around that the producers almost dubbed over all of Cindy's lines, because she has no voice. The plot "twists" are telegraphed so far in advance it's almost like Samuel Morse himself sent them.

Here's the deal. You have to have about 5 minutes of dénouement after every good explosion, to allow the tension release before the next good explosion. And they use up about half of that time just panning the camera up and down Cindy's legs.

So it's gratuitous. So she used her looks to get this job. But so does Kim Basinger, and she used to get roles before she bought a whole town. Uma Thurmann can't act her way out of a wet paper bag, and no one complains that she's using her chest to get roles (and I saw *Baron von Munchhausen*, so I know she does). Demi Moore takes off her shirt every chance she gets, and Sharon Stone just defies comment.

And the boys are doing it too: Antonio Banderas shows his ass in *Never Talk to Strangers*. Fortunately, thanks to that "equal opportunities for flabby old guys" program, Michael Douglas always makes the camera back up to get his whole butt onscreen at once.

Don't get me wrong. *Fair Game* was a *bad* movie. But it was no worse than a lot of other movies, and it's just getting a lot of bad press because one of the stars got hired for her looks. Maybe it's just me, but I'd rather watch a movie where the star *was* hired for her looks than one where the star *thinks* and *acts* like she was.

90210

Sadly, my great conspiracy theory was cut from last week's column. Here we go:

Tiffani-Amber Thiessen's initials

(Continued on page 8)

(Continued from page 7)

are TAT. And you all know what you get for tat. And you've seen how she dresses.

Now we have Joe E. Tata. And he plays Nat. So now we get Tata for Nat. But what do we get for Nat? Nit? I don't even know what that is. But it sure scares me...

Pantoufle surfs the Net

I've got lots of great sites for you this week:

<http://mirsky.turnpike.net/wow/worst.htm>
1

The Worst of the Web. Every day he puts a few pointers out to the dumbest sites he's found, and invites your comment.

<http://www.hcst.net/pphead/>

Just look this one up. I got it from the site above. That should say it all.

<http://www.thespot.com>

I've been waiting for this to show up.

IT'S 90210online! Every day a new plot, every day a new cheesy photo, every day a new grainy video. Professor Handa, I'll need ZooNet just to keep up.

I'm just wondering if they'll have their own TAT/NAT plot...

<http://www.evovox.com/prep/Home.html>

The home page for some prep school in New England. Was your school *ever* this

pompous?

<http://www.sci.tamucc.edu/%7Epmichaud/toast/>

A site dedicated to the inflammability of strawberry Pop-Tarts. Includes time-lapse photographs (downloadable! I'm doing it right now!)

As you can tell, I've had plenty of time to surf the Net this week. That's because The Lovely Susanne™ is on holiday in St. Catharine's. Boy, I bet you can't wait until she gets back and I have to stop giving you all of these lovely nerdspots.

In Defence of "Ethnics"

Glen Linder, LLB II

By nature I am an even-tempered individual, not prone to heart palpitations or sudden mood swings. Imagine my surprise, then, when I felt my hackles rising as I read Danhoe Reddy-Girard's article on the "ethnic vote" and immigration in last week's Quid.

The article advances the proposition that total responsibility for immigration should be given to Quebec. I have no intention of debating the merits of that point of view here except to point out that, at this point in time, one cannot reconcile a belief in national unity with a belief that Quebec should be given no special recognition. Therefore, as a supporter of national unity, I believe that Quebec must be allowed to take control of more areas of competence. Whether one of these areas should be immigration, I leave to brighter minds than my own.

The problem that I have with the article is its premise that those not born in Quebec are motivated to vote NON because it was the federal

government that welcomed them into this country.

Allow me to present an alternate justification for the support of national unity by so-called "ethnic voters". According to repeated annual studies by the United Nations, Canada is the best country in the world in which to live. It has a reputation around the world as a rich and stable country where democracy and tolerance thrive. Many of those who have immigrated to Quebec and Canada have come from countries where sane political debate often gives way to violent alternatives. In many states, economic weakness and unpredictability are the order of the day. Is it any wonder, then, that many immigrants would vote NON in order to avoid the possible uncertainty that would arise if the country of their adoption was to split in two? Having experienced a tougher way of life, it doesn't appear abnormal to me that they would vote to shield Canada and themselves from these risks.

The author also stated that a number of immigrants to Quebec voted NON "sans considerations

légitimes". If people's reasons for voting a particular way are being made an issue, I can only marvel at the author's own decision to vote OUI. It could be argued that unless "emotion" can be considered a legitimate consideration in deciding how to vote, the OUI campaigners presented very little of any substance to justify supporting them. Does this mean that the motivation of all OUI voters must now be scrutinized? Does it mean that prominent political leaders should make disparaging remarks about them? Naturally, the answer to these propositions is NON. No one should judge whether a citizen's voting choice was exercised with or without legitimate consideration; this attitude only devalues the votes of those targetted and harms the notion that we are all equal in the privacy of the voting booth.

Thanks for letting me get that off my chest. My pulse has now returned to normal and I have regained my equilibrium.



By: Katia Opalka, B.C.L. III

"I wouldn't be here without it", said Professor Patricia Williams in reply to a question about the effectiveness of affirmative action programmes in the United States. Professor Williams is a graduate of Harvard Law School who is presently teaching at Columbia University in New York City. She came to Montreal last week as the keynote speaker in a conference entitled "The Female Body in The Mind's Eye", organized by the McGill Centre for Research and Teaching on Women.

Professor Williams graciously accepted an invitation -- extended to her by the Black Law Students' Caucus, Women & The Law, and the McGill Black Students' Network -- to visit our Faculty on Thursday, November 2nd. She met with us in the Faculty Council Room and fielded questions prepared by students from the three hosting groups. Her remarks were often thought-provoking and surprising. Here are some issues that were touched upon:

(1) A recent bi-partisan Congressional Committee has studied the impact of affirmative action programmes in the U.S. and found

them to be very successful. The Committee concluded, however, that such action must be stepped up to a considerable degree if it is to continue to make significant inroads into freeing-up still-closed economic sectors for participation by racial minorities. Until now, affirmative action has been very successful in opening up low-scale bureaucratic jobs.

(2) Professor Williams noted, for those who are still confused, that affirmative action is not, and ever was, meant to redress economic imbalances across racial lines.

(3) The press, it was noted, does not help to dispel popular myths about affirmative action (like the myth that it is coterminous with "quota") or, for that matter, issues like welfare and its recipients. The most popular welfare myth is that the most likely recipient is a 13-year old black mother who is a drug-addict. In fact, the majority of single-mother

recipients are white women. The problem is that these women share the view of the rest of society, namely that the welfare problem is caused by blacks. The white woman thinks she will be "back on her feet" soon, and she sees the black woman as living in

a "welfare culture". With no perceived community of interest, it is obviously difficult for there to be a united response to Republican attacks on the welfare system.

The most problematic impact of the press, Professor Williams explained, is that it is helping to propagate the view that certain members of society are more deserving of the "good jobs" than others. Williams says that she takes comfort in telling herself that this is a natural phase in the evolution of a society that became committed to integration 30 years ago. Now that the first generation of "affirmative action babies", of which Williams is a self-proclaimed member, has ascended to the managerial class, the backlash is taking on a new voice, reminiscent of the voice that kept people out of schools and buses, but speaking in media tongues that fanfare and destroy the ability of statistics to speak for themselves.

My advice: read StatsCan and Patricia Williams, and be wary of the front pages of newspapers!

Top Ten

By Steven Leitman BCL II

Top Ten Reasons Why I've Been a Walking Zombie Lately

10. People keep waking me up in class.

9. Still haven't recovered from that daylight savings time thing.

8. Dean Toope keeps phoning me in the middle of the night.

7. I spend too much time writing stupid top ten lists.

6. The novelty of saying "Biz-Ass" has worn off.

5. I've gathered enough nuts. It's time to hibernate.

4. I just switched to decaffeinated Jolt Cola.

3. I found out Dean Toope is really Darth Vader (He told me on the phone).

2. Suffering from Civil Code withdrawal (It's all these dang 2nd year courses).

1. Three words: Lobotomy.

JODYTALK

I awoke this morning to see the first seasons snow fall. What this generally means is that finals are just around the corner. Finals usually represents a period of elevated stress in a student's life. We don't generally get enough sleep, we eat far too much KD & Cheese, and we begin to babble incoherently about the law of real security. This season marks the seventh set of finals that I will take at this venerable institution, and I just want to pass along some of the things that I have learned before this place becomes a mere memory to me.

Coffee:

Otherwise known as the elixir of life. Occasionally found in close proximity to House. Check to insure that you have a secure supply for finals. There is nothing more distressing than getting up in the morning to find that you have no coffee. Unless of course you wake up to find that you've slept through your final. I find that I have had to start buying the industrial coffee from Price Club. At \$7.00 for 2 lbs. it has become more economical than drinking Jamaican Blue Mountain.

Since The Faculty has been in a giving mood recently responding to my requests that we get a real placement office and some more study space I might as well go for broke. How about getting the students free coffee? I don't mean that all coffee from now until eternity is free just, the bare essentials, that first cup of the morning. Furthermore, it wouldn't even have to be all morning just for the classes that start before 10 AM. If we have to get up at an ungodly hour just to make it to class the least that they could do is to console us with our morning coffee.

As I've noted before since entering higher education coffee has become more than just a mere beverage, but a way of life. There is nothing quite like the rush you get from that first cup of steaming black mud in the morning, none of that wimpy watered down stuff.

However, there are people out there who just don't understand what I'm talking about.

I don't want to mention any names so let's call this person Morris J. (now none of you know who he is.) One day Morris J. came over to my house to study. Since he was raised properly he didn't want to come empty handed so he asked me if he could bring anything to my house. I said that I was almost out of coffee so could he bring me some. Well he brought me a bottle of Sanka (that was first year and I think that I still have it unopened). For those that don't drink coffee it may be hard to understand why this proved so distressing. I'll put it in terms that you can understand. Drinking decaffeinated coffee is a little like having sex with your clothes on. You're willing to do it because it's as close to sex as you'll be able to get. On the other hand it's all of the work for none of the reward. *Res Ipsa Loquitur*.

Course Outlines:

The funny thing about course outlines is that we are all supposed to get them,

The Charter of Students' Rights s. 10.2 stipulates that,

Every instructor shall provide students during their first week of lectures with a written course outline. This information should include where appropriate:

- (a) A description of the topics to be considered in the course,
- (b) A list of required and recommended readings and other materials,
- (c) A description of the means of evaluation to be used in the course,
- (d) The instructor's office hours for students, office location and telephone number for appointments.

but we sometimes don't, and even when

we do they are of mixed quality. I know of a professor who until recently never handed out a course outline. Well the students and Faculty after much prodding and threatening managed to get him to start handing out a course outline. Now, if we could only get him to follow it.

I'm not so concerned about the means of evaluation of a course. Generally courses are evaluated, depending on the grade which I receive they may be done so poorly or well. Some people make a big deal about the course evaluation, "It says here that its closed book, does that really mean closed book?" No that means that its closed for everyone, except you. Professors have started shifting to the closed book exam to combat the flood of summaries in classes, which is fine by me as I never could get the hang of flipping through a summary in the middle of an exam. Besides we all know how grades are assigned in law school, by throwing blue books off the stairs in Old Chancellor Day Hall and seeing on which stair they land. Most stairs are marked with a B- which is why the class average are generally a B-.

What does concern me about the course outline is that it contain a list of the topics being covered as well as the cases or appropriate statutory references under each heading. A course outline that has 13 lines about it is of no use to me. If it has the weeks with one line and appropriate page numbers from the book that's slightly better. The purpose of a course outline is a way in which to help the students organize their material during the review period, which I guess is the three hour period between the last day of classes and the first final exam.

Some classes are very well organized. The professors put a course outline on the board each day which lists the topics to be covered and the way in which they relate to each other. On the other hand there are professors who don't put up an outline and tend to ramble

(Continued on page 11)

(Continued from page 10)

incoherently about immigration adjudicators and thumb tacks. These are the people who really need to have a lesson in how to write a course outline.

A proper course outline is one which a student can take into the examination with nothing else and write the entire exam. It should contain all the cases covered as well as all the statutes. It should organize this information

according to the topic headings in the course. An example of a good course outline is Me. Heenan's, which is quite elaborate. Another example of a useful course outline is Professor Sklar's evidence outlines. Outlines help the student organize their thoughts and allow them to put all the information together. As such, it shouldn't be an afterthought on the part of the professor to put the course outline together.

Jody Berkes is a fourth year law student who has known the winter in his heart. Anyone that wants to send him and the Lovely Hilary (apologies to Pantoufle; please don't sue me) on an all expenses paid vacation somewhere warm please call! He wishes all students the best of luck on their upcoming finals. His column appears weekly, by the grace of his editors, in the Quid Novi.

Le racisme chez les francophones

Dnahoé Reddy-Girard, BCL I

Lorsque j'ai écrit "Les votes ethniques", article qui est apparu la semaine dernière, je n'avais pour seule intention que de sauver ce qui pouvait être sauvé de la déclaration de Parizeau (je défendais l'idée d'une frustration légitime au sein de plusieurs souverainistes à l'égard des «votes ethniques» caractérisés par une considération illégitime, soit une reconnaissance envers Immigration Canada). Ceci dit, je n'ai pas la témérité de déclarer que l'existence de tels votes ethniques était un phénomène répandu. Il y avait, d'ailleurs, de la frustration qui était, celle-ci, illégitime. Je parle de celle qui puise sa source dans le racisme. Toutefois, est-il vrai que les francophones qui sont racistes sont en nombre suffisant pour pouvoir dire que le mouvement souverainiste est le fruit du racisme? Afin de répondre à cette question, il faut auparavant exécuter trois étapes : définir ce qu'est le racisme, y trouver un instrument de mesure et l'appliquer aux résultats référendaires.

Le racisme est une attitude qui fait partie de la catégorie des préjugés. Comme attitude, il inclut donc trois éléments : une composante cognitive (le stéréotype), une composante affective et une composante comportementale (la discrimination). La formation de cette attitude a sa base dans sa composante cognitive (c'est la seule qui ait un *input* sur l'environnement). Un manque d'information sur un groupe donné, même sans l'existence d'un sentiment de compétition avec ce groupe, est la principale source du stéréotype, et cela est souvent dû à un manque d'interaction entre ces groupes. Aussi le

stéréotype consiste-t-il en le prototype, distortion de la réalité, des membres d'un certain groupe, un prototype qui exagère la similarité des membres de ce groupe ainsi que les différences entre les membres de groupes différents. Cette composante cognitive influence la composante affective négativement (puisque'il s'agit de préjugé) : «tous les membres d'un tel groupe ont ce défaut que tu n'aimes pas». Ce sentiment s'actualisera par la composante comportementale (la seule qui ait un *output* sur l'environnement) et l'attitude sera observable par de l'agressivité, de la discrimination.

De cette analyse, nous pouvons inférer deux prémisses sur lesquelles notre instrument de mesure reposera. La première se base sur l'*input* de l'attitude raciste, le stéréotype : un groupe social sera plus enclin à être raciste s'il ne côtoie pas d'autres groupes sociaux. La deuxième, qui est plus évidente, se base sur l'*output* de l'attitude raciste, la discrimination : le racisme s'actualisera dans une situation comme le référendum. Finalement, la conclusion qui complète ce syllogisme est notre instrument de mesure : si le nationalisme chez les francophones est plus fort, selon les résultats référendaires, dans une région où ces francophones côtoient peu d'autres groupes linguistiques, que dans une région où plusieurs groupes linguistiques coexistent, c'est qu'il prend partiellement sa source dans le racisme.

Or, quels sont les votes des francophones selon les régions? Selon Pierre Drouilly, «Un référendum exemplaire» *La Presse* (7 novembre 1991) B3, le OUI

francophone, c'est-à-dire le % des votes pour le OUI chez les francophones uniquement, serait distribué ainsi parmi les circonscriptions. En ce qui concerne les circonscriptions qui ont une majorité de francophones, le OUI francophone aurait obtenu quelque 60% des voix. En effet, il serait en moyenne de 59,8% dans les 69 circonscriptions de 90% de francophones et plus, de 60,5% dans les 21 circonscriptions où vivent entre 80% et 90% des francophones, et de 61,1% dans les 23 qui ont de 50% à 80% de francophones. Par ailleurs, le OUI francophone chute subitement à 49,3% dans les circonscriptions, au nombre de 12, où habitent moins de 50% de francophones. Il y a donc une différence importante de l'intensité du nationalisme québécois, soit un écart de quelque 10%, entre les régions où les francophones sont majoritaires et celles où ils ne le sont pas.

A la lumière de ces résultats, je crains bien que nous devions conclure... Et ça me gêne vraiment de conclure ainsi... D'autant plus que ces résultats m'étaient inconnus lorsque j'ai débuté ce texte... Je crains bien que nous devions conclure que, oui, le nationalisme québécois prend sa source en partie dans le racisme. Cependant, cette conclusion est critiquable sur deux points. Premièrement, des facteurs externes au racisme ont pu faire varier les résultats référendaires d'une région à l'autre. Deuxièmement, cela ne signifie pas que le racisme soit une source importante du nationalisme. En effet, je crois que le phénomène de «culture de résistance» explique mieux le sentiment nationaliste.

Provincial Control Over Immigration Has Not Converted <<Ethnics>> into Secessionists

Patrick Shea, BCL I

Although Danhoé Reddy-Girard (BCL I) was explicit in his condemnation of Jacques Parizeau's racist referendum-night diatribe ("Les 'votes ethniques'", *Quid Novi*, 6 November 1995), his theory of why certain Quebecers might legitimately share the premier's opinion is fallacious. Mr. Reddy-Girard claims that "l'objet légitime de la frustration de plusieurs Québécois c'est d'avoir perçu que plusieurs des immigrants se croyaient, pour la seule considération qu'ils appartenaient au groupe des immigrants ou allophones, obligés de voter pour le NON." Though he concedes that many immigrants voted against secession for reasons which he deems "justifiable," his article is nevertheless aimed at those who voted 'No' for putatively 'unjustifiable' reasons. He concludes that the solution to these "votes sans considération" is for the Quebec government to wrestle control of immigration from Ottawa.

His first premise is that certain non-francophones voted 'No' for illegitimate reasons, namely because they felt obligated to do so solely because of their cultural background. I would contend, rather, that they were motivated by the same factors that inspired all other voters: a balance between the perception of what is in one's own personal best interest and what is thought to be in the best interest of one's community (whether it be defined as cultural group, neighbourhood, city, region, province, or country). Just as many francophones voted for secession because they believed that it was in their own best interest as French-speaking Quebecers, many non-francophones -- weighing the two options carefully -- concluded that the continued

existence of Canada was the most favourable outcome. Pressure to conform to the majority opinion of one's own linguistic group was probably no more of a factor within non-francophone circles than without.

Mr. Reddy-Girard's solution to this imagined situation -- one in which certain non-francophones cast their votes for reasons he deems illegitimate -- is for Quebec City to gain control of immigration policy for the purpose of overseeing how newcomers are acculturated. This, however, would unlikely change very much. First of all, immigration is already a concurrent field under our constitution. Moreover, whereas all provinces have the right to legislate in this area, Quebec has taken the greatest interest in this matter and since the early 1970s has signed various agreements with Ottawa. The provincial government actively encourages the immigration of francophones from around the world and ensures that all newcomers to the province are given the opportunity to learn French in order to better immerse themselves to Quebec society. Therefore, while Ottawa maintains a supervisory capacity over the field, immigration is administered *de facto* by the province. Indeed, many immigrants have complained that the Quebec government's programme of 'reception' completely ignores the reality that they have arrived in a bilingual country by focusing exclusively on the supposed unilinguality of the province.

The only step which could possibly be taken would be for the federal government to enshrine Quebec's *de facto* jurisdiction over immigration in the constitution. This, however, would not likely add to the province's current powers in this field. The reality is that

most immigrants come to this country (and some of whom settle in Quebec) because of Canada's global reputation as an open and democratic society. When they become citizens, they pledge allegiance to this great nation that they proudly call home. Their lack of sympathy for Quebec secession is simply not the result of 'federal brainwashing' on their arrival. It simply cannot be, because it is Quebec and not Ottawa that participates most actively in the welcoming of its newest residents.

What Mr. Reddy-Girard has failed to appreciate is that Mr. Parizeau's racist slight was not simply an isolated utterance. When it is viewed alongside similar, though perhaps less explicit, remarks made by Lucien Bouchard, Marcel Masse, and other prominent separatists, it reveals the dark specter of ethnic nationalism which inherently lurks behind the Quebec secessionist movement. The notion that it is a form of civic or territorial nationalism can be categorically dismissed by its overwhelming rejection by non-francophones. Whether or not they would truly be welcomed in an independent Quebec, anglophones, allophones, and Aborigines (along with what is likely a majority of the French-speaking population) desire to remain a part of a bilingual and multi-ethnic country that defines itself by its very diversity. 'Les votes ethniques' are neither illegitimate nor unjustified: they represent a rejection of an ethnic nationalism that, by its very nature and despite the lip service paid to the contrary, excludes those who are not *Québécois de vieille souche*.